

NOTICE OF APPEAL**UNITED STATES DISTRICT COURT****Eastern District of New York****UNITED STATES OF AMERICA****- against -****David Levy,****Defendant.****Docket Number 16-CR-640 (BMC)****The Honorable Brian M. Cogan****(District Court Judge)**Notice is hereby given that **the United States of America**

appeals to the United States Court of Appeals for the Second Circuit from the:

Judgment ____; Order x; Other ____; **granting motions for acquittal and new trial**
(specify)entered in this action on **July 12, 2023**.
(specify)Offense occurred after November 1, 1987 Yes X No ____.The appeal concerns: **order granting motions for judgment of acquittal and new trial.**Date **August 11, 2023****Nick M. Axelrod, AUSA****(Counsel for Appellant)**TO: **Michael Sommer, Esq.**
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ADD ADDITIONAL PAGE IF NECESSARY

(TO BE COMPLETED BY ATTORNEY)

► QUESTIONNAIRE	► TRANSCRIPT ORDER	► DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATE)
____ I am ordering a transcript. <u>X</u> I am not ordering a transcript. Reason: ____ Daily copy is available <u>X</u> U.S. Attorney has placed order ____ Other. Attach explanation	Prepare transcript of ____ Pre-trial proceedings ____ Trial ____ Sentence ____ Post-trial proceedings	Dates _____ _____ _____

The ATTORNEY certifies that he/she will make satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)) ► Method of payment ____ Funds ____ CJA Form 24 X U.S. Attorney's Office Will Pay

ATTORNEY'S signature

/s/

Date **August 11, 2023**► **COURT REPORTER ACKNOWLEDGMENT**

To be completed by Court Reporter and forwarded to Court of Appeals.

Date order received	Estimated completion date	Estimated number of pages
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Signature _____
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